

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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<http://www.jpml.uscourts.gov>

July 16, 2004

Felicia C. Cannon, Clerk
Edward A. Garmatz Federal
Building & U.S. Courthouse
101 W. Lombard Street
Baltimore, MD 21201-2690

Re: MDL-1586 -- In re Mutual Funds Investment Litigation

(See Attached Schedule CTO-7)

Dear Ms. Cannon:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the actions listed on the attached schedule June 30, 2004. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachments

cc: Transferee Judges: Judge J. Frederick Motz; Judge Andre M. Davis
Judge Frederick P. Stamp, Jr.; Judge Catherine C. Blake
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 38

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 30 2004

FILED
CLERK'S OFFICE

DOCKET NO. 1586

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE MUTUAL FUNDS INVESTMENT LITIGATION
(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-7)

On February 20, 2004, the Panel transferred 91 civil actions to the United States District Court for the District of Maryland for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 272 additional actions have been transferred to the District of Maryland. With the consent of that court, all such actions have been assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis, the Honorable Frederick P. Stamp, Jr., and the Honorable Catherine C. Blake.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Maryland.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Maryland for the reasons stated in the order of February 20, 2004, 310 F.Supp.2d 1359 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis, the Honorable Frederick P. Stamp, Jr., and the Honorable Catherine C. Blake.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Maryland. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUL 16 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-7 - TAG ALONG ACTIONS
DOCKET NO. 1586
IN RE MUTUAL FUNDS INVESTMENT LITIGATION

DISTRICT DIV. C. A.#

DELAWARE

DE 1 04-188

Cynthia L. Essenmacher, etc. v. Invesco Fund Groups, Inc., et al.

MASSACHUSETTS

MA 1 04-10852

Leon Brazin, etc. v. John A. Hill, et al.

MA 1 04-10853

Peter Kavaler, etc. v. John A. Hill, et al.

MA 1 04-10978

Harold Beardsley, et al. v. FleetBoston Financial Corp., et al.

close

NEW YORK SOUTHERN

NYS 1 04-444

Aurora Henao, etc. v. Marsh & McLennan Companies, Inc., et al.

NYS 1 04-629

Barry J. Feinburg, et al. v. Security Brokerage, Inc., et al.

NYS 1 04-666

MFS Fund Distributors, Inc., et al. v. Daniel G. Calugar, et al.

NYS 1 04-1879

R.L. Simmonds, et al. v. Columbia Acorn Fund, et al.

NYS 1 04-2005

Robert Rubin v. Pacific Investment Management Co., LLC

NYS 1 04-2119

Paul Chorne v. Scudder 21st Century Growth Fund, et al.

NYS 1 04-2335

Mildred E. Ruehlman v. Amcap Fund, et al.

NYS 1 04-2475

Ernest Gottdiener, etc. v. John R. Belk, et al.

NYS 1 04-2701

Kim Barkov v. Amcap Fund, et al.

NYS 1 04-2741

Tim Christman v. Canadian Imperial Bank of Commerce, et al.

PENNSYLVANIA WESTERN

PAW 2 04-439

Lu Chang, etc. v. Federated Investors, Inc., et al.

PAW 2 04-440

Richard Linnock, etc. v. Federated Investors, Inc., et al.

PAW 2 04-441

Stanley Soto, etc. v. Federated Investors, Inc., et al.

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DOCKET NO. 1586
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DOCKET NO. 1586
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Hon. Richard M. Berman
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Hon. George B. Daniels
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40 Centre Street
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Hon. Alvin K. Hellerstein
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Hon. Lewis A. Kaplan
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DOCKET NO. 1586
IN RE MUTUAL FUNDS INVESTMENT LITIGATION

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